



February 21, 2014

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# ENGROSSED HOUSE BILL No. 1319

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DIGEST OF HB 1319 (Updated February 19, 2014 2:57 pm - DI 116)

**Citations Affected:** IC 2-5; IC 20-18; IC 20-19; IC 20-20; IC 20-32; IC 20-33; noncode.

**Synopsis:** Education matters. Repeals a provision that establishes an expiration date of January 1, 2015, for the commission on education (commission). Provides that the commission may study and evaluate issues relating to the education of the citizens of Indiana. Changes the date, from December 1 to November 1, on which the commission's  
(Continued next page)

**Effective:** Upon passage; July 1, 2014.

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**Behning, Huston, VanDenburgh,  
Porter**

(SENATE SPONSOR — KRUSE)

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January 15, 2014, read first time and referred to Committee on Education.  
January 27, 2014, amended, reported — Do Pass.  
January 29, 2014, read second time, amended, ordered engrossed.  
January 30, 2014, engrossed. Read third time, passed. Yeas 95, nays 0.

SENATE ACTION

February 4, 2014, read first time and referred to Committee on Education and Career Development.  
February 20, 2014, amended, reported favorably — Do Pass.

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EH 1319—LS 6856/DI 116



## Digest Continued

final report is due. Adds a school counselor to the definition of a teacher. Provides that a student's latest PSAT test results are included in the student's official high school transcript. Changes the date on which a school corporation's annual performance report must be published from between January 15 and January 31 to between March 15 and March 31. Requires the department of education (department) to disaggregate from the ISTEP program test results the percentage of students in each school and each grade who are identified as high ability students by the school corporation who achieved a score in the highest performance level designated for the ISTEP program test. Requires the department to assign unique identifiers for students whose parents are active duty members of the armed forces. Requires the department to develop a format for school corporations to publish, as part of the school corporation's annual report, the percentage of students in each school and each grade who are identified as high ability students and also achieved a score in the highest performance level designated for the ISTEP test. Requests the legislative council to assign certain topics to the commission.

**EH 1319—LS 6856/DI 116**



February 21, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1319

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 2-5-38.1-1, AS ADDED BY P.L.254-2013,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2014]: Sec. 1. As used in this chapter "commission" refers to  
4       the commission on education established by section ~~2~~ **1.5** of this  
5       chapter.  
6       SECTION 2. IC 2-5-38.1-1.5 IS ADDED TO THE INDIANA  
7       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
8       [EFFECTIVE JULY 1, 2014]: **Sec. 1.5. (a) The commission on**  
9       **education is established to study and evaluate issues relating to the**  
10      **education of the citizens of Indiana.**  
11      **(b) The commission may study and evaluate issues:**  
12      **(1) required to be studied by the commission by law;**  
13      **(2) assigned to the commission by the legislative council; or**  
14      **(3) approved by both cochairpersons of the commission.**  
15      SECTION 3. IC 2-5-38.1-2, AS ADDED BY P.L.254-2013,  
16      SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

EH 1319—LS 6856/DI 116



JULY 1, 2014]: Sec. 2. (a) **In addition to issues studied by the commission under section 1.5 of this chapter, the commission on education is established to may** study and evaluate the following issues:

(1) Methods for accurately evaluating teacher preparation programs:

(A) using data regarding individuals who obtain teaching positions within and outside Indiana; and

(B) using an individual's grade point average.

(2) The use of teacher evaluations for measuring teacher preparation programs.

(3) The financial costs for students pursuing postsecondary education, including but not limited to workplace certifications, associate degrees, and baccalaureate degrees. The commission shall identify opportunities, methods, and strategies to increase the affordability of such programs in Indiana.

(4) On time degree completion rates for public and nonpublic Indiana colleges and universities. For purposes of this section, completing a degree "on time" means completing the degree within four (4) academic years for a baccalaureate degree or within two (2) academic years for an associate degree. The commission shall identify opportunities, methods, and strategies to increase the percentage of students in Indiana who complete a degree on time.

(5) Any other issue assigned to the commission by the legislative council.

**(b) This section expires December 31, 2015.**

SECTION 4. IC 2-5-38.1-2.2, AS ADDED BY P.L.246-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.2. (a) The commission ~~is established to may~~ study and evaluate the following issues, in addition to those set forth in ~~section sections 1.5 and 2~~ of this chapter:

(1) The development of definitions of excused and unexcused absences from school.

(2) The effectiveness of voluntary agreements between school corporations and courts having juvenile jurisdiction in providing court supervised educational programs, alternative programs, or diversion programs for students who are habitually truant, suspended, or expelled from school, including:

(A) the number and types of agreements and programs in Indiana;

(B) the effects of the programs on families and students; and



- 1 (C) the success of the programs in reintegrating students into  
 2 the classroom.
- 3 (3) Evidence based practices and model programs for reducing  
 4 absenteeism and supporting student engagement and  
 5 achievement.
- 6 (4) The feasibility of modifying Temporary Assistance for Needy  
 7 Families (TANF) program eligibility for households to include  
 8 school attendance requirements for students.
- 9 (5) Any other issue related to student absenteeism.
- 10 **(b) This section expires December 31, 2015.**
- 11 SECTION 5. IC 2-5-38.1-4, AS ADDED BY P.L.254-2013,  
 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2014]: Sec. 4. The commission shall annually submit the  
 14 commission's final report to the legislative council in an electronic  
 15 format under IC 5-14-6 not later than ~~December 1~~ **November 1**.
- 16 SECTION 6. IC 2-5-38.1-9 IS REPEALED [EFFECTIVE JULY 1,  
 17 2014]. ~~Sec. 9: This chapter expires January 1, 2015.~~
- 18 SECTION 7. IC 20-18-2-22, AS AMENDED BY P.L.167-2013,  
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2014]: Sec. 22. (a) "Teacher" means a professional person  
 21 whose position in a school corporation requires certain educational  
 22 preparation and licensing and whose primary responsibility is the  
 23 instruction of students.
- 24 (b) For purposes of IC 20-28, the term includes the following:
- 25 (1) A superintendent who holds a license under IC 20-28-5.
- 26 (2) A principal.
- 27 (3) A teacher.
- 28 (4) A librarian.
- 29 **(5) A school counselor.**
- 30 SECTION 8. IC 20-19-3-9.4, AS ADDED BY P.L.1-2010,  
 31 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2014]: Sec. 9.4. **(a)** Beginning January 1, 2010, the  
 33 department may obtain and maintain student test number information  
 34 in a manner and form that permits any person who is authorized to  
 35 review the information to:
- 36 (1) access the information at any time; and
- 37 (2) accurately determine:
- 38 (A) where each student is enrolled and attending classes; and
- 39 (B) the number of students enrolled in a school corporation or  
 40 charter school and residing in the area served by a school  
 41 corporation;
- 42 as of any date after December 31, 2009, occurring before two (2)



regular instructional days before the date of the inquiry.  
 Each school corporation and charter school shall provide the information to the department in the form and on a schedule that permits the department to comply with this section. The department shall provide technical assistance to school corporations and charter schools to assist school corporations and charter schools in complying with this section.

**(b) Beginning with the 2015-2016 school year, each school corporation and charter school shall annually:**

**(1) determine whether a student's parent is a member of:**

**(A) the armed forces of the United States who is on active duty;**

**(B) the reserve component of a branch of the armed forces of the United States; or**

**(C) the national guard; and**

**(2) provide a list to the department of the students who have been identified under subdivision (1).**

**The department shall assign each student identified under subdivision (1) a unique identifier, which may be a modification of the student's test number assigned under subsection (a), by which data concerning military connected students may be disaggregated.**

SECTION 9. IC 20-20-8-3, AS ADDED BY P.L.169-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) Not earlier than ~~January~~ **March** 15 or later than ~~January~~ **March** 31 of each year, the governing body of a school corporation shall publish an annual performance report of the school corporation, in compliance with the procedures identified in section 7 of this chapter. The report must be published one (1) time annually under IC 5-3-1.

(b) The department shall make each school corporation's report available on the department's Internet web site. The annual performance report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter. The governing body of a school corporation may make the school corporation's report available on the school corporation's Internet web site.

(c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy.

SECTION 10. IC 20-32-5-12, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2014]: Sec. 12. The department shall develop a format for the publication by school corporations in an annual performance report required by statute of appropriate academic information required by the department, including ISTEP program test scores **and information required to be disaggregated by the department under section 13.5 of this chapter**, in a manner that a reasonable person can easily read and understand.

SECTION 11. IC 20-32-5-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 13.5. The department shall disaggregate from the total results of the ISTEP program test results for a school corporation the percentage of students in each school and each grade in the school corporation that are identified as high ability students (as defined by IC 20-36-1-3) by the school corporation who also achieved a score in the highest performance level designated for the ISTEP test. However, this disaggregation is not required in a case in which the results would reveal personally identifiable information about an individual student under the Family Education Rights and Privacy Act (20 U.S.C. 1232g et seq.).**

SECTION 12. IC 20-33-2-13, AS AMENDED BY P.L.140-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) A school corporation shall record or include the following information in the official high school transcript for a student in high school:

- (1) Attendance records.
- (2) The student's latest ISTEP program test results under IC 20-32-5.
- (3) Any secondary level and postsecondary level certificates of achievement earned by the student.
- (4) Immunization information from the immunization record the student's school keeps under IC 20-34-4-1.
- (5) Any dual credit courses taken that are included in the core transfer library under IC 21-42-5-4.
- (6) The student's latest PSAT program test results.**

(b) A school corporation may include information on a student's high school transcript that is in addition to the requirements of subsection (a).

SECTION 13. [EFFECTIVE UPON PASSAGE] **(a) The general assembly urges the legislative council to assign to the commission on education established by IC 2-5-38.1-1.5, as added by this act, for study during the 2014 legislative interim the topics of:**



1           (1) requirements for schools to make up time for days on  
2           which the start of the school day was delayed; and

3           (2) school start times in general;  
4           in relation to academic achievement, student safety, and parental  
5           work schedules.

6           (b) This SECTION expires November 1, 2014.

7           SECTION 14. [EFFECTIVE UPON PASSAGE] (a) The general  
8           assembly urges the legislative council to assign to the commission  
9           on education established by IC 2-5-38.1-1.5, as added by this act,  
10          for study during the 2014 legislative interim the topic of student  
11          discipline and the suspension, expulsion, or exclusion of a student  
12          from school.

13          (b) This SECTION expires November 1, 2014.

14          SECTION 15. An emergency is declared for this act.





## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1319, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 13 through 42.

Delete page 4.

Page 5, delete lines 1 through 11.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1319 as introduced.)

BEHNING, Chair

Committee Vote: yeas 10, nays 0.

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1319 be amended to read as follows:

Page 1, line 3, after "commission" insert "**on education**".

Page 3, between lines 34 and 35, begin a new paragraph and insert:  
**"SECTION 8. [EFFECTIVE UPON PASSAGE] (a) The general assembly urges the legislative council to assign to the commission on education established by IC 2-5-38.1-1.5, as added by this act, for study during the 2014 legislative interim the topics of:**

**(1) requirements for schools to make up time for days on which the start of the school day was delayed; and**

**(2) school start times in general;**

**in relation to academic achievement, student safety, and parental work schedules.**

**(b) This SECTION expires November 1, 2014."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1319 as printed January 27, 2014.)

THOMPSON



## HOUSE MOTION

Mr. Speaker: I move that House Bill 1319 be amended to read as follows:

Page 1, line 3, after "commission" insert "**on education**".

Page 3, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 8. [EFFECTIVE UPON PASSAGE] **(a) The general assembly urges the legislative council to assign to the commission on education established by IC 2-5-38.1-1.5, as added by this act, for study during the 2014 legislative interim the topic of student discipline and the suspension, expulsion, or exclusion of a student from school.**

**(b) This SECTION expires November 1, 2014."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1319 as printed January 27, 2014.)

VANDENBURGH

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 COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1319, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-5-38.1-1, AS ADDED BY P.L.254-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. As used in this chapter "commission" refers to the commission on education established by section ~~2~~ **1.5** of this chapter."

Page 1, line 13, strike "on".

Page 1, line 14, strike "education".

Page 3, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 6. IC 20-18-2-22, AS AMENDED BY P.L.167-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 22. (a) "Teacher" means a professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students.

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(b) For purposes of IC 20-28, the term includes the following:

- (1) A superintendent who holds a license under IC 20-28-5.
- (2) A principal.
- (3) A teacher.
- (4) A librarian.

**(5) A school counselor.**

SECTION 7. IC 20-19-3-9.4, AS ADDED BY P.L.1-2010, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9.4. (a) Beginning January 1, 2010, the department may obtain and maintain student test number information in a manner and form that permits any person who is authorized to review the information to:

- (1) access the information at any time; and
  - (2) accurately determine:
    - (A) where each student is enrolled and attending classes; and
    - (B) the number of students enrolled in a school corporation or charter school and residing in the area served by a school corporation;
- as of any date after December 31, 2009, occurring before two (2) regular instructional days before the date of the inquiry.

Each school corporation and charter school shall provide the information to the department in the form and on a schedule that permits the department to comply with this section. The department shall provide technical assistance to school corporations and charter schools to assist school corporations and charter schools in complying with this section.

**(b) Beginning with the 2015-2016 school year, each school corporation and charter school shall annually:**

- (1) determine whether a student's parent is a member of:**
  - (A) the armed forces of the United States who is on active duty;**
  - (B) the reserve component of a branch of the armed forces of the United States; or**
  - (C) the national guard; and**
- (2) provide a list to the department of the students who have been identified under subdivision (1).**

**The department shall assign each student identified under subdivision (1) a unique identifier, which may be a modification of the student's test number assigned under subsection (a), by which data concerning military connected students may be disaggregated.**

SECTION 8. IC 20-20-8-3, AS ADDED BY P.L.169-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2014]: Sec. 3. (a) Not earlier than ~~January~~ **March** 15 or later than ~~January~~ **March** 31 of each year, the governing body of a school corporation shall publish an annual performance report of the school corporation, in compliance with the procedures identified in section 7 of this chapter. The report must be published one (1) time annually under IC 5-3-1.

(b) The department shall make each school corporation's report available on the department's Internet web site. The annual performance report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter. The governing body of a school corporation may make the school corporation's report available on the school corporation's Internet web site.

(c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy."

Page 3, between lines 34 and 35, begin a new paragraph and insert:  
 "SECTION 9. IC 20-33-2-13, AS AMENDED BY P.L.140-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) A school corporation shall record or include the following information in the official high school transcript for a student in high school:

- (1) Attendance records.
  - (2) The student's latest ISTEP program test results under IC 20-32-5.
  - (3) Any secondary level and postsecondary level certificates of achievement earned by the student.
  - (4) Immunization information from the immunization record the student's school keeps under IC 20-34-4-1.
  - (5) Any dual credit courses taken that are included in the core transfer library under IC 21-42-5-4.
  - (6) The student's latest PSAT program test results.**
- (b) A school corporation may include information on a student's



high school transcript that is in addition to the requirements of subsection (a).".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1319 as reprinted January 30, 2014.)

KRUSE, Chairperson

Committee Vote: Yeas 9, Nays 0.

